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SPEECH

OF

HON. C. J. FAULKNER, OF VIRGINIA,

ON

THE COMPROMISE—THE PRESIDENCY—POLITICAL PARTIES.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, AUGUST 2, 1852.

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THE COMPROMISE, &c.

The House being in the Committee of the Whole on the state of the Union on the Civil and Diplomatic Appropriation Bill—

Mr. FAULKNER said:

Mr. CHAIRMAN: I had hoped, sir, that no occasion would have occurred, during my service in this body, rendering it necessary for me to address the House upon any of the current political topics of the day. I came here to discharge my duty as a representative of the people—to labor in the plain, straightforward path of constitutional legislation—to limit myself to the discharge of the appropriate duties which belong to me as a member of this body—to dedicate my time to the investigation of those questions upon which I am required to record my votes, and to sustain the peculiar interests of my constituents, wherever those interests have been improperly neglected and disregarded by the Government. But having taken occasion, some short time since, in company with a few others who concurred in opinion with me, to indicate, in a very brief card, the course which I should feel it my duty to pursue in the approaching presidential election—a right, the exercise of which belongs to every freeman of this Republic, and my position having been made by partisan orators and editors, throughout the country, the subject of most acrimonious assault, I feel impelled to throw myself upon the indulgence of the committee to present more at large some of the reasons which govern me in the course which I propose to pursue; and if those who differ from me in opinion can perceive in my present position the slightest aberation in principle from that which I assumed in my canvass for a seat upon this floor, I shall be gratified to see the discrepancy pointed out to the censure and condemnation of those who have a right to sit in judgment upon my conduct.

Mr. Chairman, looking at the respective platforms announced by the two parties, and at the course of national legislation, few, if indeed a single one, of the questions which formerly divided parties, have for some years past constituted political issues before the country. The Bank of the United States, to protract whose corporate existence so much misplaced patriotism was expended, has almost perished from human memory, and has been supplanted by a financial system which is everywhere acquiesced in without a murmur. The bankrupt law was a temporary measure, and rose and exploded like a bubble upon the agitated surface of the water. The Mexican war has left behind it nothing but the memory of its proud achievements and successful issue. The system of internal improvements, once so vigorously maintained, is now universally discountenanced; and all who maintain any power in the Federal Government over the subject, in any form, limit the exercise of that power within such a narrow range of commercial facility and national defense as to avert any very marked hostility to their views. A tariff policy, looking to protection as its leading and primary object, is now without an advocate in the country—as completely so as the doctrine of pure international free trade; and so long as the principle is avowed and honestly carried out, that no more revenue should be raised than is sufficient to defray the just and economical expenditures of the Government—that such revenue should be collected from imposts, and not from direct taxes, so as to give to the labor of our own country the incidental benefit resulting from that system of taxation; and that, in raising this revenue, such equality of burden should be imposed that one class or portion of the country should not be taxed for the benefit of another—principles now universally conceded, all else pertaining to any tariff law must be mere matter of detail, about which local interests may squabble, but in regard to which national parties cannot differ. The question of the public lands has long since passed from the control of party action, and been merged in the ever-circling whirlpool of sectional cupidity and universal demagogism; and the only divisions which it has been my fortune to witness upon that subject, since I have held a seat upon this floor, have been those which spring from the celebrated Rob Roy maxim:

> "That good old rule—that simple plan,
> That they SHALL TAKE who have the power,
> And they may HOLD who can."

These old issues have passed away, because

they sprung alone from the administrative policy of the Government—a policy which, in a country of such gigantic growth, rapid development, and intimate connection with the whole commercial world, must necessarily be modified and adapted to its changing condition and ever-onward destiny. They have passed away, because time and enlightened discussion have corrected many of the errors and dissipated many of the prejudices which surrounded those subjects; and more than all, they have been lost sight of by the public mind, because, of late years, they have yielded to a class of questions of far greater magnitude, involving the very existence of the noblest structure of civil government which the sun has ever shone upon.

Sir, since the recent alarming agitation of these sectional issues, I have had but one rule to guide and control me in my political course, and that is irrespective of all former party associations and of all *effete*—lifeless, galvanic political organizations, to give my humble and sincere support to those men, and to those associated bodies of men who, from their public declarations and authentic acts, give me the highest assurance of their fidelity to the obligations imposed by our great Federal compact. The South is now, for the first time since the origin of this Government, in a minority in both branches of the National Legislature. We have in this fact a source of just solicitude, which may well arouse us to reflection, and cause us to look more narrowly into the tendencies and composition of parties than we have heretofore done. We have now no longer in this nor in the other Chamber the power of numbers to repel aggression and to vindicate our rights. We have great and momentous interests confided to our safe custody, upon the firm and intrepid maintenance of which, depend our peace and tranquillity, and which interests may be, and are, the subjects of constant aggression and assault. A very slight examination into the tone of public sentiment, and the tendencies of this Government must be sufficient to satisfy any man that the safety of the South in this Confederacy depends upon a strict and literal interpretation of the powers of Congress; upon a vigilant watchfulness of abuse; and upon a faithful observance by the Government of all of those provisions in that instrument which have been so carefully designed to protect and defend our interests.

Amongst the clauses contained in the Constitution is one which has attracted an unusual share of public attention within the last few years. The interest which this question has awakened has resulted from the fact that it is a plainly written condition of the bond; that it is a provision of vital practical importance to the South; that it has been violated with impunity and under every circumstance of atrocity and insult; that the authority of the National Legislature has been invoked to give vitality and efficacy to the compact, and that fanaticism and resistance have reared their treasonable heads to cancel and destroy a solemn and deliberate contract made and approved by our fathers. The question presented, being no less than whether the Constitution is an instrument intended for the benefit of the whole Union, or only of a part of it;—whether the South shall bear its burdens, without being allowed to participate in its benefits. Sir, I do not over estimate the importance of that provision of the Constitution which requires the delivery of our fugitives from labor, when I say, that upon its stern and inflexible execution depends our domestic tranquillity, and the peace and stability of the Union. I say here, to gentlemen of the North, deny us the honest, cheerful, and faithful observance of that guarantee of the Constitution, and you make us aliens to you in feeling, and enemies to a system of Government which can tolerate such injustice. It was one of the equivalents which was promised for the surrender of that unrestricted commercial power which it was then forseen, and which has since resulted in covering your country with cities, palaces, and all the evidences of affluence and wealth. It was one of the conditions of the bargain, and one without which we should have refused to have negotiated at all. Of this opinion was the Supreme Court of the United States, when it was announced to the North, through the lips of one of its most eminent northern judges, "that 'the full recognition of this right and title was 'indispensable to the security of that species of 'property amongst them, and was so vital to the 'preservation of their domestic interests and in-'stitutions, that it constituted a FUNDAMENTAL 'ARTICLE, without the adoption of which, THE 'UNION COULD NOT HAVE BEEN FORMED." To secure this important object, the South made many sacrifices in the Federal Convention; and surely, no man who looks to the welfare of the South, or to the interests of the Union, (for upon this question, above all others, the interests of the South and of the Union are one and the same,) can be indifferent to the respective views of the two great political parties upon this question, nor, indeed, to the views of any influential portion of these parties. It cannot be an unimportant inquiry at a time like this, to know who, during the late perilous crisis through which we have passed, have been our friends, and who have been our enemies; who have recognized our rights, and who have denied them; who have regarded the Constitution as the fraternal bond of Union, and who have misapplied the powers conferred by it for the purposes of its own destruction, and from what quarter we may expect allies and friends if these rights should hereafter be assailed. So vital do I regard this subject, that I have no hesitation in declaring, that whatever might be my diversity of opinion upon questions of ordinary legislation with the two great parties of the country, I should feel it to be my imperative duty, at a period like the present, and until all serious agitation upon this subject is finally put at rest, to contribute my aid to secure the ascendancy of that party which shall give me the most satisfactory assurances of its firmness and fidelity upon this fundamental issue.

In the view which I take of this question, and in the overwhelming importance which I attach to it, I am sure I do not stand alone. Certain it is, that I am sustained by the sagacity and patriotism of that eminent man, whose voice has not often been heard without a respectful response in this land, and whose death has so recently filled this Republic with grief. I take the following extract from some remarks delivered by Henry Clay, before the General Assembly of Kentucky, on the 18th of November, 1850, upon which occasion he was invited to address that body:

"If the agitation in regard to *the fugitive slave law*

should continue, and increase, and become alarming, it will lead to the formation of two new parties, one for the Union and the other against the Union. And the platform of that Union party will be, the Union, the Constitution, and the enforcement of its laws. And if it should be necessary to form such a party, and it should be accordingly formed, I announce myself, in this place, a member of that Union party, whatever may be its component elements. Sir, I go further: I have had great hopes and confidence in the principles of the Whig party, as being most likely to conduce to the honor, the prosperity, and the glory of my country. But if it is to be merged into a contemptible abolition party, and if abolitionism is to be ingrafted on the Whig creed, from that moment I renounce the party and cease to be a Whig. I go yet a step further: if I am alive, I will give my humble support for the Presidency to that man, to whatever party he may belong, who is uncontaminated by fanaticism, rather than to one who, crying out all the time and aloud that he is a Whig, maintains doctrines utterly subversive of the Constitution and the Union."

I do not wish to be understood, in making this quotation from Mr. Clay, to affirm that the time has arrived, in the contemplation of that distinguished man, when all the extreme results which he prefigures have been fully realized. I feel, in common with the whole country, grateful to the southern Whigs for the firmness and patriotism which they displayed in forcing upon the Baltimore Convention the adoption of the compromise resolution. It was an important step in the right direction; and I trust in God it may be found to leaven the whole mass of heretofore hostile sentiments in the Whig party of the North. But I must be allowed to express my want of faith in its efficacy for any such result. I have too long observed the extent and intensity of that disease to believe that it will yield to so simple a prescription. Neither am I unadvised of the fact that the platform referred to was, in truth, forced upon that body under circumstances of a most marked and peculiar character—that the southern Whigs were aided in their strategy upon that occasion by a triangular struggle for the nomination, and by a condition of things which may never again occur: and that, after all, it was carried in opposition to a most formidable minority, who continued earnestly opposed to it to the end. Neither am I insensible to the fact that the southern Whigs constitute a very decided minority of their party in this Union: that its true power and acknowledged strength lies in the North: and that it is to the sentiments of the Northern Whigs we can alone look for a true exposition of that policy which must give tone and character to the Whig party of the Union. Wholly unembarrassed, therefore, as I am in my present political position, and free to choose between the respective nominations now before the country, it becomes my duty as a southern man, and as a Union man, to examine the principles and past proceedings of that majority branch of the Whig party to whose influence the country is indebted for the nomination now before us, a nomination made in opposition to the unanimous and protracted struggles of the South, and in opposition to the struggles of the few national Whigs of the North who were so fortunate as to find a sufficient constituency in that section of the Union to delegate them to that body.

In order to present my own position fairly and distinctly before the country, it is necessary for me to advert to some portion of my own personal history, and to look back to the incidents of the past few years.

As early as the year 1846, my attention was in an especial manner drawn to that extraordinary condition of things existing in this Confederacy, exhibiting the virtual and practical nullification of one of the most important provisions secured by the Constitution to the South. The guarantee existed, it is true, (as a dead letter,) in the Federal compact; but public sentiment and State legislation combined, had rendered it as absolutely inoperative as if it had been expressly excluded from the terms of our National Covenant. The act of Congress of 1793, depending for its vitality upon State agents and State officers, its efficacy was wholly destroyed by the legislation of the States forbidding the coöperation of State officers in its enforcement. I cannot better illustrate the spirit of northern legislation upon this subject than to refer to the case of Vermont, which by an act of November, 1843, inflicted a heavy pecuniary penalty, and declared it to be a penitentiary offense, not only for a State officer, but even for any *citizen* of that State, to aid in the recapture of a fugitive slave. I found that hostility to the institutions of the South was an increasing and growing sentiment in the North, stimulated and fomented by politicians for the worst and most nefarious purposes.

Shortly after this occurred the brutal murder of Kennedy by a mob of free negroes and abolitionists in Pennsylvania, whilst engaged in the assertion of his legal and constitutional rights; and next the prompt and disgraceful acquittal of the murderers, and their discharge from all punishment whatever. I felt persuaded that unless there was some decided action upon the part of Congress in giving efficacy and value to this despised provision of the Constitution, and some change in the public sentiment of the North, leading to a better understanding and more thorough recognition of the rights of the South, that the Union must be brought to a speedy and violent rupture. I accordingly, in July, 1847, opened a correspondence with several of the most prominent and distinguished men of the nation, suggesting such remedies as occurred to my mind for the existing evil, and soliciting their advice. From none of them did I receive the slightest encouragement to the idea that any amendment could be obtained to the act of 1793 by Congress. Mr. Calhoun, in emphatic terms, replied to me that "any attempt to procure favorable legislation from Congress would be idle."

Not discouraged by this advice, I determined, in the spring of 1848, to submit myself to the voters of Berkeley county as a candidate for a seat in the House of Delegates—intending, if elected, to endeavor to bring the whole moral power of Virginia to bear upon this subject before Congress. I was elected, and, accordingly, within a few days after taking my seat in that body, I submitted a resolution for the appointment of a select committee to consider the subject in all its bearings, and to report. The resolution was adopted, and a committee appointed, of which I was chairman. Early in the month of February following, I submitted, with the sanction of the committee, my report, which was unanimously adopted by both branches of the General Assembly of Virginia, instructing our Senators, and requesting our Representatives to urge upon the consideration of Congress, the amendments of the law of 1793, recommended in that report. These joint resolutions of Virginia were laid before the Senate and House of

Representatives but a few days before the adjournment of the Thirtieth Congress, and too late for any action upon them at that time.

I will here remark, that the day fixed for the consideration of my report in the House of Delegates of Virginia, was the same day upon which it had been decreed by the Whigs of New York that they would elevate WILLIAM H. SEWARD to the high and distinguished post of Senator of the United States. Having been furnished, a few days prior to that time, with a copy of a speech delivered by Mr. SEWARD, at Cleveland, in Ohio, on the 26th of October preceding, I took occasion, in my exposition of the report, to direct the solemn attention of the Whigs of Virginia to the sentiments contained in that speech, and to inquire of them if they could unite in political fellowship with a party such as he described the Whigs of the North to be. I then took occasion, in the most precise and explicit terms, to declare that I should thereafter feel it my duty, as the basis of my individual action, to direct my attention more to the course of the Whig party of the North, and if I found satisfactory evidence of their concurrence in the views and policy here ascribed to them by Mr. SEWARD, that I should, without hesitation, separate myself altogether from their organization.

Here is an extract from the speech of Mr. SEWARD, to which I allude:

"There are two *antagonistical* elements of society in America—FREEDOM and SLAVERY. Freedom is in harmony with our system of Government, and with the spirit of the age, and is, therefore, passive and quiescent. Slavery is in conflict with that system, with justice, and with humanity, and is therefore organized, defensive, active, and perpetually aggressive."

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"These elements divide and classify the American people into *two* classes—the party of Freedom, and the party of Slavery. Each of these parties has its court and its scepter."

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"The party of freedom seeks complete and *universal emancipation*. You, WHIGS of the Reserve, and you especially, seceding Whigs, none know so well as you that these two elements exist and are developed in the two great national parties of the land, as I have described them. *That* existence and development constitute the *only reason you can assign* for having been enrolled in the *Whig party*, and mustered under its banner, so zealously and so long. And now I am not to contend that the evil spirit I described has possessed the one party without mitigation or exception, and fully directed the actions of the other; but I appeal to you, to your candor and justice, if the beneficent spirit has not worked chiefly in the *Whig party*, and its antagonist in the *adverse party*."

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"Slavery is the sin of not some of the States only, but of them all—of not our nation only, but of all nations. It perverted and corrupted the moral sense of mankind, deeply, universally; and it is corruption became a universal habit. Habits of thought became fixed principles. No American State has yet delivered itself entirely from these habits. We in New York are guilty of slavery still by withholding the *right of suffrage* from the race we have emancipated. You, in Ohio, are guilty in the same way, by a system of *black laws*, still more aristocratic and odious. It is written in the Constitution of the United States, that five slaves shall count equal to three free men, as a basis of representation; and it is written, *also, in violation of Divine law*, that we shall surrender the *fugitive slave* who takes a refuge at our fireside from his relentless pursuer. You blush not at these things, because they have become as familiar as household words; and your pretended Free-Soil allies claim peculiar merit for maintaining these *misnamed guarantees* of slavery which they find in the national compact. Does not all this prove that the *Whig party* has kept up with the spirit of the age? That it is as true and faithful to human freedom as the inert conscience of the American people will permit it to be? What, then, you say, can nothing be done for freedom because the public conscience is inert? Yes, much can be done, everything can be done. Slavery can be limited to its present bounds; it can be ameliorated. It can be, and it must be, ABOLISHED, and you and I can and must do it. The task is as simple and easy; as its consummation will be beneficent, and its rewards glorious. It requires only to follow this simple rule of action: To do everywhere, and on every occasion what we can, and not to neglect or refuse to do what we can at any time because at that precise time, and on that particular occasion we cannot do more. Circumstances determine possibilities. When we have done our best to shape them and make them propitious, we may rest satisfied that superior wisdom has determined their form as they exist and will be satisfied with us if we do all the good that circumstances leave in our power. But we must begin deeper and lower than the composition and combination of factions or parties wherein the strength and security of slavery lie. You answer that it lies in the Constitution of the United States, and the constitutions and laws of slaveholding States. Not at all. It is in the erroneous sentiment of the American people. *Constitutions* and laws can no more rise above the virtue of the people, than the stupid stream can climb above its native spring. Inculcate the love of freedom and the equal rights of man under the paternal roof; see to it that they are taught in the schools and in the churches; reform your OWN CODE; EXTEND A CORDIAL WELCOME TO THE FUGITIVE *who lays his weary limbs at your door*, and DEFEND HIM AS YOU WOULD YOUR PATERNAL GODS; correct your own error, that slavery *has any constitutional guarantee* which may not be *released* and *ought not to be relinquished*; say to slavery, when it shows its bonds, and demands its pound of flesh, that it it draws one drop of blood its bide shall pay the forfeit; inculcate that the free States can maintain the rights of *hospitality* and humanity—that Executive authority can forbear to favor slavery—that Congress can debate—that Congress, at least, can meditate with the slaveholding States—that, at least, future generations might be bought and given up to freedom, and that the treasures wasted in the war with Mexico would have been sufficient to have redeemed millions unborn from bondage. Do all this, and inculcate all this, in the spirit of moderation and benevolence, and not of retaliation and fanaticism, and you will soon bring the parties to the country into an *effective aggression upon slavery*. Whenever the public mind shall will the abolition of slavery, the way will open for it.

"I know that you will tell me this is all too slow. *Well, then, go faster if you can, and I will go with you*; but remember the instructive lesson that was taught in the words, 'these things ought ye to have done, and not to have left the others undone.'"

In three months after the delivery of this speech, which, by the newspapers and in pamphlet form, has acquired an extensive circulation, these sentiments were indorsed by the Whigs of New York by his elevation to a seat in the Senate of the United States. On the fifth of March, 1849, he took his seat in that body, to advance the great mission for which he was elected, and from that day to the present, has he stood forward before the country the impersonation of every sentiment hostile to the interests and institutions of the South.

Early in the following session of Congress, Mr. MASON, of Virginia, in pursuance of the instructions of his State, submitted to the Senate a bill to carry out the second section, fourth article of the Constitution, in relation to fugitives from labor. Had that bill come before Congress wholly as an independent measure of policy, it is difficult to say what may have been its fate. But the momentous questions growing out of the admission of California as a State into this Union; the establishment of territorial governments for Utah and New Mexico; and the settlement of the Texas boundary bill, afforded an opportunity highly favorable to its being successfully passed during that session. Without going into the details of that stormy and ever-memorable session of Congress, it may be sufficient for my present purpose here to state, that the *fugitive slave law*, with all the other acts constituting that series of measures, called the ad-

justment or compromise, were passed early in the month of September, 1850, and received the signature of President Fillmore.

It naturally attracted my attention, after my previous acquaintance with the spirit of northern State legislation, and especially with the legislation of some of the most decided Whig States of the North—and after the declarations of principle ascribed to the northern Whigs by Mr. Seward, in his speech from which I have before quoted, to notice the political complexion of the vote by which this tardy act of justice was rendered to the South, and the Constitution at length recognized as an instrument giving protection to our rights. I found upon examination that *not one single northern Whig Senator* voted for the passage of the law, and but *three Whigs* from the whole non-slaveholding section of the Union cast their votes for it in the House of Representatives, to wit: One from the city of Boston—one from Indiana, and one a native of Virginia, representing the Chillicothe district in Ohio.

Now, when we consider the plain and perspicuous language of the guarantee for the delivery of fugitive slaves embraced in the Constitution—the absolute nullification of the remedy prescribed by the act of 1793, imperfect as that remedy was—the solemn declaration of the Supreme Court of the United States that we were without the benefit of a fundamental provision of the compact to which we were entitled—the urgent demand for redress from the South—the impending danger to the Union consequent upon the denial of a right so clear and indisputable, we may well estimate the extent and depth of the feeling of the constituent body which could thus paralyze their representatives upon the floor of Congress, and cause them in a body to withhold from us a remedy so clearly granted and so urgently required by our situation.

The passage of the compromise acts by Congress in September, 1850, was far from terminating the struggle of the friends of the Union. It is true some of those measures became by their passage final, and are in their nature irrepealable. But there was one—that one to which I have before more particularly referred—in which the South had a vital and peculiar interest, which was subject to repeal at any time, and which, whether repealed or not, could be of little practical value to us unless sustained by a sound public sentiment at the North, where it was to be executed. The contest, then, so far as that law was concerned, was transferred from the Halls of Congress to the direct tribunal of the people themselves. Open rebellion to the execution of the law was familiarly proclaimed. Its constitutionality vehemently denied. The pulpit, the press, county and corporation meetings, and legislative assemblies thundered their denunciations against it, and proclaimed a warfare for its repeal, whilst ferocious mobs were incited and encouraged to resist its enforcement. Some idea may be formed of the frenzy which animated the opponents of this measure by quoting the sentiments of a convention which, during that period, assembled in Pennsylvania. It was there declared "that George Washington was as infamous and vile for signing the 'act of 1793 as Millard Fillmore is for signing 'the act of 1850; both were infamous; both laws 'were infamous." Never was there a period which more urgently demanded the active influence and patriotic exertions of every sound-thinking man who possessed influence in the North to allay the spirit of open discontent, and to suppress the treasonable projects of the enemies of the Union. Any man existing in that day, who was blessed with the power to give a sound direction to public sentiment, and who, from any purposes of selfish and vaulting ambition, withheld the exercise of that power, was guilty of a flagrant dereliction of duty which the people of this country will never cease to remember to his injury.

In casting our eyes back to the fall of 1850 and the year 1851, we find the highest intellect and the noblest patriotism of the North everywhere in motion, and earnest and unceasing in its appeals to resist the tide of fanatical resistance of that law, then sweeping over the free States. President Fillmore, accompanied by a portion of his Cabinet, visited the States of Massachusetts and New York, and sought, by the weight of his high character, and by the exercise of all of the legitimate influence at his command, to soften the excited prejudices of the people, and to turn their reflections into the current of public duty. Henry Clay, from the capital of Kentucky, sent forth a warning voice to his friends in the North. Webster, roused by the magnitude of the danger, traveled from point to point, and brought the massive powers of his mighty intellect to maintain, uphold, and support the supremacy of the Constitution and laws. Pierce, Choate, Dallas, Dickinson, Douglas, O'Connor, and a host of others, brought all the influence of their abilities and well-earned popularity to aid the triumph of the cause of constitutional Union.

As the course of Franklin Pierce is not so generally known at this period as that of his three more illustrious compeers, and as it is fit and proper that it should be better known, I will present from the columns of the National Intelligencer, of the 28th of November, 1850, a sketch of the sound and patriotic remarks made by him on the 20th of that month, at a Union meeting held at Manchester, in New Hampshire. The whole proceedings of the meeting cover near four columns of that paper:

"General Pierce's Speech.—The President then introduced General Franklin Pierce, and that gallant gentleman was received with enthusiastic cheers. Disclaiming any purpose of making anything like a regular address, he said he never before was so much under the influence of conflicting emotions. There was much in the appearance of the assembly that filled his heart with joy; and yet a feeling of sadness oppressed him when he cast his eyes over that vast, calm, resolved multitude, and remembered that they had gathered there to consider a question, which for twenty years, had never been raised in any public body in our country. That question was, not whether the Union should be perpetual, but whether there should be disunion.

"He was in the United States Senate when that word was heard for the first time on that floor, and never shall he forget the thrill of horror it sent through that body. A deep and solemn pause succeeded, and Senators shuddered as they slowly turned their eyes upon the bold author of the appalling suggestion. But he had now lived to hear hisses while one of the secretaries was reading a resolution in favor of Union. [This remark drew hisses, and General Pierce proceeded:] They hiss again. Let the men who do it, show themselves. [Up rose two clergymen, the reverend Mr. Foss, and the reverend Mr. Davis.] Here, then, said General Pierce, we have two men who seek to destroy the Union. [One of them replied: 'No. If you will let us explain, we will show you that we do not intend that. We are willing to meet the question, however, any way.'] General Pierce continued. You shall have your opportunity all in good time. Let the discussion come, and he that

is defeated, must go to the wall, and yield the question. That is the way to manage such matters in a free country. There must be no breaking up of the country in case of defeat. If we are precipitated into a war by fanaticism, we cannot conquer. Both sections of the country may be immolated. Neither could come out of the contest short of ruin. It was said that we of the North could bring two men in the field for every one that the South could muster; but it would be found, when the trial should come, that the man who now makes that boast would not be one of the two men who was to go forth to meet even the one man from the South. [Great cheering.] General Pierce said the men, then in the hall, who had abandoned themselves to the infatuation of disunion sentiments, would probably live to regret and repent of their present course. In the coming days of decrepitude, when the infirmities of age shall have crept upon them, they would gather their children around them, and confess how they were once betrayed into moral treason, and, as a legacy, say to them: 'STAND BY YOUR UNION—AND STAND BY YOUR COUNTRY!' He said he deemed it unnecessary to go into a formal argument in support of the Union. The resolution embraced all that could be said on that subject. When the compromise was first proposed in Congress, he had no doubt that the Union would go down, unless the measures recommended were carried. The *defeat* of the first attempt overwhelmed him *with apprehension*, understanding that the compromise *was intended to give to the South a sense of greater security, for one of their rights than they felt they had for some time past possessed.* Who did not deplore slavery? But what sound-thinking mind regarded that as the only evil that could rest upon the land? The men that would dissolve the Union, did not hate or deplore slavery more than he did; but even with it we had lived in peace, prosperity, and security from the foundation of our institutions to the present time. *If the Constitution provided for the return of fugitive slaves,* IT SHOULD BE DONE. That was what he WANTED TO DO; that was what our fathers AGREED *we should do;* and that was what the FRIENDS OF THE UNION established by them wanted to do. [Hisses.] There, said General P., are the arguments of the 'higher law,' I suppose.

"These provokers of disunion claimed to be men of humanity. They were the men who were always preaching against war. Yet how was a peaceable dissolution of the Union to be accomplished? If one portion of the States could secede without violence, how long would peace continue? The slaves would escape; their owners would pursue them. If the slaves were protected in the free States, the owners would pursue with armed forces. Troops would be raised to resist them; battalions would be added to battalions on each side, and the free States would be the battle ground where such armies would be found engaged beyond what Napoleon ever saw on the most terrific of his bloody battle-fields. It was the fear of such dreadful consequences that caused such a universal revolution of feeling throughout the Union when the original compromise project failed. The eyes of the nation were opened to the magnitude of the danger. Even those who opposed it in Congress felt they were standing on the brink of a precipice. There seemed to be no step between disunion and a faithful adherence to the compact of the Union. He knew that was the feeling. Members of Congress had confessed it. The resort to disunion as an experiment to get rid of a political evil would be about as wise as if a man were to think of remedying a broken arm by cutting his head off. The danger which would have existed if the compromises had not been passed, would now exist if they were defeated by the action of the opponents of those measures. They were fairly within the scope of the Constitution, and were to be obeyed with the same fidelity as that sacred instrument itself, which all good citizens must and would stand by while a plank remained. Happily, through the lowering clouds of the passing storm the white cliffs of concession were in sight, and the joyful cry was the Union—eternal Union! [General Pierce spoke with a free and fiery energy, which created and maintained a lively sensation during the whole of his eloquent and uncompromising speech.]

Who, upon a perusal of this speech—the general accuracy and truthfulness of which cannot be questioned—delivered on the 20th of November, 1850, and reported in the National Intelligencer on the 28th, can fail to see in it the most conclusive refutation of the misrepresentation recently propagated of his opinions by a few abolition journals of the North? This speech alone, covering, as it does, all the ground embraced in that fabricated report, is sufficient, apart from the mass of overwhelming testimony bearing upon that point, to consign the infamous slander to the contempt of every fair and honorable mind. If I were a bitter opponent of Franklin Pierce, I would feel it due to the truth of history—due to his consistent record in support of southern institutions—demanded of me, as a southern man, to trample under foot the vile and infamous falsehood!

Sir, the men of the North, who were engaged in this patriotic struggle to save the Union, were well aware that they were opposing themselves to a torrent that might, at least temporarily, overwhelm them. But they freely elected, for the sake of their country, to make, if necessary, a sacrifice of themselves. Webster, the most powerful man which the walls of Boston ever encompassed, was, for his course upon this question, excluded with ignominy and insult from Faneuil Hall, a place which he had so often illustrated and adorned by his eloquence. President Fillmore, in a speech which he made at Fredericksburg, Virginia, in June, 1851, and to which I had the pleasure of listening, truly said:

"When I look back to the crisis through which we have passed, I feel that there *was* danger that the days of the Union were numbered. I determined then, if necessary, *to sacrifice every political prospect* I had in the world, and life itself *to save the country!*"

And now it may not be uninteresting to inquire how Mr. SEWARD was employed during this period? We have many facts before us resting upon mere newspaper rumors, to which I will not advert. But here are a few extracts from a letter addressed by him in reply to a convention in Boston, called for the purpose of protesting against the fugitive slave law:

"AUBURN, *April* 5, 1851.

"DEAR SIR: Your letter inviting me to attend a convention of the people of Massachusetts opposed to the fugitive slave law, and to communicate in writing my opinion on that statute, if I should be unable to attend the convention, has been received."

* * * * * * *

"It would be an honor to be invited to address the people of Massachusetts on any subject, but it might well satisfy a generous ambition to be called upon to speak to that great and enlightened commonwealth on a question of human rights and civil liberty.

"I confess, sir, that I have earnestly desired not to mingle in the popular discussions of the measures of the last Congress."

* * * * * * *

"I am unwilling even to seem to imply by reiterating arguments already before the public, either any distrust of the position of those with whom I stood in Congress, or *impatience* for that *favorable popular verdict* which I believe to be near, and *know* to be *ultimately certain.*

"Nevertheless there can be no impropriety in my declaring, when thus questioned, the opinions which will govern my vote upon any occasion when the fugitive slave law shall come up for review in the National Legislature. I think the act signally unwise, because it is an attempt by a purely federative Government to extend the economy of slave States throughout States which repudiate slavery as a moral, social, and political evil. Any despotic Government would awaken sedition from its profoundest slumbers by such an attempt.

"The attempt by the Government has aroused *constitutional resistance* which will not *cease* until the effort shall be relinquished. He who teaches another faith than this, whether self-deceived or not, misleads."

Whilst SEWARD and his Abolition allies were thus employed in fomenting resistance to the execution of this law, the Democracy of Boston were not idle; but from the walls of old Faneuil Hall they issued a declaration of their constitutional principles in the following terms:

"*Resolved*, That the legislative enforcement of the second section of the fourth article of the United States Con-

stitution, which expressly requires that fugitives from labor shall be delivered up to the party to whom such labor shall be due, is one of the vital conditions of the compromise, and was introduced, carried, and will be sustained by the Democracy of the United States."

Again, sir, during all this period, from the passage of the compromise acts in the month of September, 1850, where was WINFIELD SCOTT? It is well known that he has for many years possessed many friends, and exercised considerable influence in the North. The exclusive northern and sectional vote which he received in the several Whig Conventions of 1840,-'44, and '48, manifested very distinctly that there was a large class of persons in that section, upon whose conduct his opinions would have fallen with influence and power. Where do we find his voice in all this tumult, to still the agitated waves, and to proclaim peace to a distracted country? Amidst all the letters which were written to the numerous Union meetings of the North—by public men who were unable personally to attend, we look in vain for one single line from that distinguished source. Was no letter of invitation sent to him from the great Castle Garden meeting, of November, 1850, none from Boston, New York, Philadelphia, Concord or Manchester?

Mr. SCHOONMAKER. Surely the gentleman from Virginia must be aware that General Scott made a speech at the Castle Garden meeting in New York.

Mr. FAULKNER. The occasion to which the gentleman from New York refers was in February, 1850, several months before the passage of the compromise acts. I am examining the course of General Scott since the passage of those measures.

Mr. SCHOONMAKER. I think his speech was since the compromise acts were passed.

Mr. FAULKNER. Certainly not.

Mr. STEPHENS, of Georgia. The gentleman from Virginia is correct in his facts. The Castle Garden meeting, at which General Scott made some remarks, occurred on the 25th of February, 1850.

Mr. FAULKNER. Sir, was General Scott favored with no opportunity of declaring his sentiments, and of throwing the weight of his illustrious name in behalf of the Union, at this most critical and perilous crisis in its destiny? It seems to me that he ought to have sought the opportunity, if one did not present itself. Looking to a great and imperishable fame, such as Fillmore and Webster, by their efforts upon that occasion, have acquired, and elevating himself far above every selfish object of human ambition, he should have volunteered a rebuke to that wild and mischievous spirit of anarchy which bid fair to shake to its foundations the very pillars of our Constitution. It was the remark of the celebrated Fox, that ignorance in a statesman is crime; and there are occasions in public affairs when silence in a statesman is crime. The period succeeding the passage of the compromise acts was one of these occasions. During all this period, the only letter that emanated from the pen of Winfield Scott, so far as I am advised, on public affairs, was the following:

WASHINGTON, *March* 25, 1851.

SIR: I have received your letter, (marked "confidential,") in which, after committing the error of supposing me to be "fully before the country as the Whig candidate for the Presidency," you proceed to interrogate me on many points of grave public interest.

Permit me to say, that considering we shall probably only have a Whig candidate for the Presidency through a National Convention, and that I cannot be its nominee except by the force of the unsolicited partiality of large masses of my countrymen;—

Considering, also, that if my character or principles be not already known, it would now be idle to attempt to supply the deficient information by mere paper professions of wisdom and virtue made for the occasion;—

And, considering, that if I answer *your queries*, I must go on and *answer others already before me*, as well as the long series that would inevitably follow, to the disgust of the public;—

I will beg permission to close this acknowledgment of your letter by subscribing myself,

With great respect, your obedient servant,

WINFIELD SCOTT.

——— ———, Esq., *Harrisburg, Pennsylvania.*

But General Scott did not merely sin by his refusal to answer—he sinned to a much deeper extent by the direct countenance which his silence and acquiescence gave to those who arrayed themselves in hostility to the compromise policy.

And this leads me to advert to some incidents in the proceedings of the two great parties of the country in the States of New York, Pennsylvania, and Ohio, subsequent to the passage of the compromise acts. I select those three States because it would consume too much time to review the action of all of the northern States; second, because these three constitute the leading and controlling States of the North, and by their power and influence give a tone and direction to public sentiment in that section; and lastly, because of their especial connection in bringing before the nation the name of Winfield Scott for the Presidency.

On the 10th day of September, 1850, immediately subsequent to the passage of the compromise measures, and whilst the compromise Congress was still in session, the *Democratic* State Convention of New York assembled at Syracuse. From that convention a cheering voice issued, "congratulating the country upon the recent settlement 'by Congress of the questions which had unhappily divided the people of these States;" and "deprecating all sectional agitation at the North 'or South, calculated to *impair its sacred obligations*, 'or to threaten its perpetuity."

On the 26th September, 1850, (Congress still in session,) the *Whig* State Convention of New York, assembled likewise at Syracuse. From this Convention no voice issued approving the compromise—none deprecating further agitation of sectional issues—but, on the contrary, resolutions were adopted virtually repudiating the compromise, and declaring it to be the solemn duty of Congress, notwithstanding the perilous crisis through which we had just passed, "to extend 'the anti-slavery ordinance over Utah and New 'Mexico, on the first indication that slavery was 'likely to be introduced into those Territories." Thus opening afresh the bleeding wounds of the country, and kindling with renewed frenzy the fire of sectional agitation and strife.

The Whigs of New York did not stop here, but they passed the most marked resolution, tendering the warmest thanks of the convention to WILLIAM H. SEWARD, distinguished as the course of that gentleman eminently was, by hostility to the compromise, and more especially to the fugitive slave law. It is true, some thirty members of the convention seceded from this body, upon the ground, as they declared in their address, "that

'the design of the convention was to convert the 'Whig party of this State into an Abolition party, 'or rather to destroy the Whig party, and to build 'up an Abolition party upon its ruins;" and yet, even these seceders, at a subsequent convention held at Utica, ratified all the nominations made by the Syracuse Convention, and amongst others, the nomination of Washington Hunt as the candidate for the office of Governor, who had previously publicly declared, in a letter addressed by him to the president of the seceding convention, that he deplored the passage of the fugitive slave law in its present form, and expressed himself in favor of such modifications of it as must have deprived it of all value to the South.

In this Syracuse Convention no recommendation was made for a candidate for the Presidency. It occurred too shortly after the approval by Mr. Fillmore of the fugitive slave law to justify any such formal action. But it is a fact, asserted upon this floor, and not denied, that immediately after the approval by Mr. Fillmore of the fugitive slave law, the name of General Scott as a candidate for the Presidency was placed at the head of every paper in New York under the influence of Mr. Seward. Time had not yet been given to put that machinery in motion which was destined to impair the confidence of the people of New York in one, a native and resident of the State, whose elevated and patriotic character was known to them, and upon whom they had so recently cast their votes for the second office in the gift of the people, and who, by the death of General Taylor, had now succeeded to the first. The most decisive blow that these political managers could at that early period venture upon, was to express their distinguished confidence in William H. Seward—the man who stood before the State the avowed antagonist of Mr. Fillmore—who condemned without reserve his whole policy, and who was then preparing to marshal his well-drilled forces to overwhelm and crush him in the North.

At a somewhat later period—in the summer of 1851—the Pennsylvania Whig Convention assembled. The avowed purpose of calling this meeting was the nomination of State officers; but it was deemed a very fit and appropriate occasion to usher the name of Winfield Scott before the country as a candidate for the Presidency. Accordingly, William F. Johnson, whose free-soil opinions and hostility to the fugitive slave law were well known, and who then *held in his pocket*, and who refused his executive sanction to the bill repealing the unjust and detestable "obstruction law," was renominated for the office of Governor. In this same convention a resolution was submitted to this effect:

"*Resolved*, That the provisions of the Constitution in reference to the rendition of fugitives held to service or labor, demand, and *shall receive from our party*, a faithful, manly, and unequivocal support."

Which was promptly *voted down* by an overwhelming majority. And Winfield Scott, who, it will be recollected, had, on the 26th of March preceding, refused to give his opinions upon any of the public questions upon which he was interrogated, was formally recommended for the Presidency.

Thus do we find the name of General Scott for the first time during the present canvass, brought to the notice of the American people by an organized convention. That name associated with Free-Soilers and enemies of the compromise, and brought before the country by a convention which in express terms rejects the maintenance of the fugitive slave law as a principle of its party association.

Governor Johnson, in his act of accepting the nomination thus tendered to him, declares, "The fugitive slave law is as open to modification and repeal as the tariff of 1846."

And thus was the Whig canvass opened in 1851, under the broad banner of Scott and Johnson, by an open and avowed warfare upon the finality of the compromise acts.

Now, let us turn for a moment to the action of the Democratic State Convention of Pennsylvania, held at Reading, about the same period, in 1851:

"*Resolved*, That the sixth section of the act of the Legislature of Pennsylvania, passed on the 3d of March, 1847, denying, under severe penalty, the use of our State jails for the detention of fugitive slaves while awaiting their trial, ought to be expunged from our statute-book, both because it interposes obstacles, by means of State legislation, to the execution of the provisions of the Constitution of the United States, and because it is a virtual disregard of the principles of the compromise, and is calculated seriously to endanger the existence of the Union.

"*Resolved*, That the Democratic party of Pennsylvania are true to the Union, the Constitution, and the laws, and will faithfully observe and execute, so far as in them lies, all the measures of compromise adopted by the late Congress for the purpose of settling the questions arising out of domestic slavery; and this, not only from a sense of duty as good citizens of the Republic, but also from the kind and fraternal feelings which they cherish towards their brethren of the slaveholding States."

Again: at a subsequent convention the following resolution was adopted:

"*Resolved*, That the Democracy of Pennsylvania will maintain with fidelity and energy the faithful execution of the fugitive slave law; and that we pledge ourselves to exert our best efforts to secure the speedy repeal of such portions of the 'State obstruction law' as deny the use of our jails for the detention of fugitives from labor while awaiting their trial, or in any other manner interfere with the constitutional rights of citizens of our sister States in reclaiming their property."

Here, then, was an issue fully, fairly, and distinctly joined in Pennsylvania, and to which the whole country looked with the deepest and most anxious interest.

About the same period a Whig State Convention was held in Ohio. Resolutions were adopted repudiating the compromise as a measure of Whig policy—refusing to recognize its validity as an adjustment—nominating for the office of Governor, Samuel F. Vinton—a gentleman who had the previous session voted against the fugitive slave law, and who was one of its most prominent and determined opponents—and recommending Winfield Scott for the Presidency.

A Democratic State Convention assembled in Ohio. I find no resolution adopted by this convention approving or disapproving of the compromise acts. Reuben Wood was nominated as their candidate for Governor. What his opinions were prior to his nomination I do not know. I have heard it charged that they were unsound on this question. It may be so. But the National Intelligencer of the 20th January last, transfers to its columns his inaugural address, and accompanies the publication of it with the expression of its gratification "at its sound conservative sentiments in reference to the compromise."

Referring to the compromise, he says:

"Under all the circumstances which surround us, IT SHOULD REMAIN UNDISTURBED, and this fruitful source of agitation and excitement BE FOREVER CLOSED."

Now, sir, who can fail to perceive in the movements of these three powerful States—led on by Seward, Johnson, and Vinton—a fixed and settled purpose to arrange the campaign for the pending presidential election; to array the Whigs of these States, and of the North, against the finality of the compromise; to rekindle the fires of sectional discord; to make the fugitive slave law the basis of political agitation; and to rally the whole anti-slavery feeling of the North, with a view to the organization of a great and triumphant sectional party? Hostility to the compromise as a final pacification of the distracting questions involved, was openly and publicly proclaimed by all concerned in these political movements. And Winfield Scott, whether with or without his consent, was selected by them as the favorite and chosen instrument to accomplish their purposes.

Mr. STANTON, of Ohio. Is the gentleman from Virginia aware that Mr. Vinton did not receive the abolition vote? but that there was at the same election a Free-Soil candidate for Governor, who received upwards of sixteen thousand votes?

Mr. FAULKNER. This may be, and doubtless is, as stated by the gentleman from Ohio. But I do not perceive how the fact affects my argument. It only shows that there were sixteen thousand voters who carried their hostility to slavery even beyond the point taken by Mr. Vinton. Now, sir, is it sufficient for gentlemen to say to me that General Scott was personally and individually, during this period, favorable to the compromise? That, in his private talk with his friends, he so expressed himself? Will this lessen the grave objection to his course? In the estimation of many will it not aggravate it? Can it be possible that he was ignorant of the object and purpose for which his name was invoked by this Free-Soil triumvirate? Could he be unconscious that he was lending his great name to give to them influence and power—to enable them to crush all the true friends of the compromise throughout the North—and to build up a great sectional party upon principles hostile to the peace and tranquility of the Union? Can any rational mind account for the determined silence of General Scott on these questions, after the date of their passage, in defiance of all the appeals made to him, except upon the idea that it was one of the conditions of their support, and the presumed condition of his success? It is manifest that a renewal of sectional agitation was at this time the preordained policy of the northern Whigs—a fact to be inferred not only from their almost unanimous refusal to vote for the fugitive slave law, but from the subsequent declarations of their party conventions, declining to acquiesce in it. And to enable them to carry on that agitation successfully under the banner of Winfield Scott, all that they required of him was, that he should abstain from writing or publishing any opinion in conflict with their purposes and policy.

Sir, when I see to what extent they have already succeeded in the North in crushing such men as Millard Fillmore and Daniel Webster—true and tried friends of the Constitution and of the Union—when I see in such undisguised characters everywhere through that section of the Union, the manifestations of their influence and power, I tremble to think what might now have been the condition of this country if the firmness and patriotism of the Democratic party, aided by a noble band of national Whigs, had not, by the results of the elections of 1851, thwarted their incipient movements of agitation. Had Johnston, upon the issues involved in his election, triumphed in Pennsylvania—had Vinton triumphed in Ohio, with Hunt, the previous fall, successful in New York, I solemnly believe that a concerted and powerful movement would have been commenced for the repeal of that law, which must have led to the most fatal consequences to our political system. From this catastrophe we were saved—saved by the firmness and loyalty of the Democratic party, aided by Union Whigs; and the opponents of the compromise policy were thus taught a lesson of prudence and discretion, which has suspended, for a time, at least, their warfare against our institutions. To General Scott we certainly are not indebted for our escape from this impending danger; for it was against the combined names of Scott and Johnston in Pennsylvania, and Scott and Vinton in Ohio, that the battle was fought, and the cause of the compromise and of the Union triumphed in that struggle, in defiance of the name of Winfield Scott arrayed against it.

In the month of August, 1851, I became a candidate for a seat in the House of Representatives of the United States. The position which I occupied in my canvass, will appear from a letter published by me in March, 1852. It was circulated by the newspapers, and in pamphlet form, in every portion of my district; and I am yet to learn that any man in the district has questioned the correctness of a single statement contained in it. I will make the following extracts from it:

"In announcing myself as a candidate for Congress, I did so upon the platform of the UNION CONSTITUTIONAL PARTY OF THE SOUTH. That platform presented a few distinct and definite issues for the judgment of the people. As such it was adopted and made the basis of political organization in Georgia, Alabama, Mississippi, and every other portion of the southern country where the diversity of opinion and the agitation of the public mind rendered such a contest necessary or proper. That platform presented, as controlling and absorbing issues, the finality of the compromise measures of 1850, the faithful execution of the fugitive slave law within the limits of the Union by all the power of the Government, whether resisted by States, cities, mobs, or individuals, and a denial of the right of a State to resume at its pleasure the powers which it has conferred upon the General Government, and thereby to destroy the force of Federal legislation within its limits, and to place herself beyond the pale of her responsibilities as a member of the Union. I expressly declared that I did not present myself before the district as a Whig; that I neither expected nor desired any man to regard or support me as such; that so far as my sentiments upon the issues above set forth were acceptable to the people, whether Whigs or Democrats, I claimed their suffrages—so far as they dissented from on those questions, I did not expect their support. I expressly rejected from my public discussion all of the old party issues as obsolete or immaterial, and staked my election wholly upon those higher and greater questions upon which I believed the peace and integrity of the Union depended. I thereby became identified in position and principle with that intrepid and patriotic organization which in Georgia, Alabama, and Mississippi cast aside all former bonds and ligaments of party, and entered into new combinations to maintain the peace and tranquility of the country. The tenth Congressional district of Virginia exhibited, upon a small scale, the precise contest that was at the same time so fiercely and furiously waging in the more southern States. The same argument, the same principles, the same objects, the same disregard of former party associations, marked their struggles and ours; and not a man that gave me his support but looked with the same anxiety, and sympathized with as sincere a joy at the triumph of the gallant Cobb of Georgia, and of the indomitable Foote of Mississippi, as they did at my election. Whigs and Democrats alike generously sustained me—the Whigs in a much larger proportion than the Democrats

yet amongst the bitterest and most unscrupulous of those who assailed me in the canvass were Whigs—amongst the most a dent and zealous of my supporters were Democrats. No other issue was presented in my election—not another pledge asked or expected of me."

* * * * * * *

"If there is a policy, which, beyond all others, I am pledged to maintain by the circumstances of my election, it is the finality of the compromise measures of 1850, and with it the faithful execution of the fugitive slave law; nor could I, without dishonor, coöperate with any party that does not in some satisfactory mode make a strict observance of those measures a cardinal and fundamental canon of its political creed."

* * * * * * *

"I feel no hesitation in declaring that if the Philadelphia Convention shall adjourn without a clear, distinct, and unequivocal announcement of its adherence to the compromise acts of 1850—shall fail to pledge the Whig party, North and South, to a stern and inflexible execution of the fugitive slave law, and shall nominate, as the organ and exponent of its views, a man who shall pertinaciously withhold from an anxious and impatient public *his pledges upon those questions*—I shall not be found among those who will cooperate in the support of any such nominee." * * *

"So in like manner, if the Baltimore Convention shall adjourn without a distinct declaration of its views on these questions, and shall nominate a man uncommitted before the public in these issues, it would with me be a conclusive reason against the support of any such nominee.

"Without suggesting the various alternatives which will naturally present themselves to every mind, it may be sufficient, with a view to have myself distinctly understood, to say that my opinion is now precisely what it was during my canvass for a seat in Congress: I regard the peace and harmony of this nation as of infinitely more importance than the mere fact of whether a Whig or a Democrat fills the executive chair, and I shall, in the next presidential contest, be governed in my choice by the *individuals* respectively nominated, and by the assurance which *such nominations*, and the platform of principles which they may announce, shall give me of their soundness and fidelity upon these great and vital questions of national policy."

Elected, as I then was, to Congress, to carry out principles as congenial with my own feelings as they were conducive to the best interests of the country, the opportunity was soon presented of recording my own sentiments in regard to them, and of observing the course of the two political parties on the same interesting subject.

On the 1st of March, Mr. Fitch, of Indiana, submitted to the House the following resolution:

"*Resolved*, That we recognize the binding efficacy of the compromises of the Constitution, and believe it to be the intention of the people generally, as we hereby declare it to be ours, individually, to abide such compromises; and that we deprecate all further agitation of questions growing out of the provisions embraced in the acts of the last Congress known as the compromise, and of questions generally connected with the institution of slavery, as unnecessary, useless, and dangerous."

On the 5th of April, 1852, Mr. Hillyer, of Georgia, submitted the following resolution:

"*Resolved*, That the series of acts passed during the first session of the Thirty-first Congress, known as the compromise, are regarded as a final adjustment and a permanent settlement of the questions therein embraced, and should be regarded, maintained, and executed as such."

This resolution also received the vote of but twelve northern Whigs—although, as it will be perceived, no special allusion was contained either in Hillyer's or Fitch's resolutions to the fugitive slave law.

On the same day, Mr. Jackson, of Georgia, submitted the following resolution—upon which the vote was also taken by yeas and nays:

"*Resolved*, That we recognize the binding efficacy of the compromises of the Constitution, and believe it to be the intention of the people generally, as we hereby declare it to be ours individually, to abide such compromises, and to sustain the laws necessary to carry them out—*the provisions for the delivery of fugitive slaves, and the act of the last Congress for that purpose, included*; and that we deprecate all further agitation of questions growing out of that provision of the questions embraced in the acts of the last Congress known as the compromise, and of questions generally connected with the institution of slavery, as unnecessary, useless, and dangerous."

This resolution, in which, for the first time, reference is made to the fugitive slave law, received but *seven northern Whig votes* in the House of Representatives, and amongst those seven not a single friend to the nomination of Winfield Scott for the Presidency.

It will thus be perceived, by reference to the record, that if the fate of Jackson's resolution had depended upon the vote of the northern Democrats, it would have been sustained by the triumphant majority of 35 to 22—that is, a majority of nearly *two to one*. Had the fate of the same resolution depended upon the vote of the northern Whigs only, it would have been voted down by a majority of 30 to 7,—more than *four to one*. If it had depended for its support upon the northern Scott party, it would not have received a single vote.

On the 29th of April last, a Whig Congressional caucus assembled in the Senate Chamber, in pursuance of a call "to consider matters of importance to the Whig party." Mr. Marshall, of Kentucky, submitted to that meeting a resolution "that they regard the series of acts known as the 'compromise measures, as forming, in their mutual dependence and connection, a system of 'compromise the most conciliatory and the best 'for the entire country that could be obtained from 'conflicting sectional interests and opinions; and, 'therefore, they ought to be adhered to, and carried into faithful execution as a final settlement, 'in principle and in substance, of the dangerous 'and exciting subjects which they embrace." This resolution was ruled to be out of order, and the opinion of the Chair sustained by a vote of 46 to 21. Eleven southern Whigs thereupon seceded from the caucus, to wit: Humphrey Marshall, of Kentucky; Meredith P. Gentry and Christopher H. Williams, of Tennessee; David Outlaw and Thomas L. Clingman, of North Carolina; Jackson Morton and E. Carrington Cabell, of Florida; John Moore and J. Aristide Landry, of Louisiana; James F. Strother, of Virginia; and W. Brooke, Senator from Mississippi.

I take the following extract from their address to the Whigs of the United States, published in the National Intelligencer of the 29th of April, 1852:

"By a reference to the list of persons who participated in these proceedings, it will be perceived there was a great disparity in the representation from the free States and the slaveholding States. We are authorized to state that several gentlemen from the slaveholding States, belonging to the Whig party, declined to participate at all in a meeting of which the result was palpable, under the intimations of purpose advanced by the chairman at the first meeting.

"The meeting was composed of forty-six gentlemen from the free States, and twenty-one from the slaveholding States. The vote is divided, forty-six to twenty-one—seven from each class of States voting with the opposing section.

"The entire meeting was a meager majority of the representation elected as Whigs in the Congress of the United States. The quota from the slaveholding States remaining in the meeting after our withdrawal was just one fourth of the Whig representation from the slaveholding States. The determination of the time and place for the Whig National Convention may, therefore, justly be considered as made by the Congressional Representatives from the free States.

"Of the members of Congress from the free States pres-

* This resolution received the votes of but twelve northern Whigs.

ent and acting in this meeting, a large majority were committed, by legislative action, against the compromise measures at their passage, or have refused to express an intention to maintain and execute them since their passage. Among those who took part in these proceedings were some of the most conspicuous opponents of the adjustment and most active agitators of the North. Of the thirty one Representatives from the free States who voted affirmatively on the proposition that the appeal do lie on the table, only *three* had recorded their votes in favor of the peace of Hilliard's resolution at this session, expressing as the sense of the country that the compromise measures should be maintained as a final settlement of the questions they embraced, and should be fairly and honestly executed. Nineteen had voted against that resolution. Nine were absent. These, united to the vote of the Senators, would have been sufficient to overpower the whole representation present from the slaveholding States, had that representation been united. We will not dwell upon the considerations these facts suggest, or express the reflections which they naturally awaken. It is apparent, however, that the time and place have been determined, not only by a majority of the Whig representation, but by a preponderance of that element of the representation which either opposed the adjustment or disavows the 'finality' of the settlement."

I have thus shown conclusively from the record, that the northern Whigs arrayed themselves in a body against the passage of the fugitive slave law—a measure of vital and indispensable importance to our interests—essential to give validity to a fundamental guarantee of the Constitution, and intimately connected with the preservation of the peace and integrity of the Union. I have shown that shortly subsequent to its passage, in three of the most powerful States of the Union, they arranged their organization so as to accomplish its modification or repeal—a result which could not have been attained without a sectional struggle of a most perilous character—and that from the passage of the law down to the meeting of the Baltimore Whig Convention, not one word approving or acquiescing in its enactment, so far as I am advised, is to be found issuing from any of the recognized Whig political organizations of the North. I might cite many facts and details illustrating this same spirit and policy, but I have preferred to rely upon the authentic, recognized, unquestionable expositions of party action, exhibited under its most solemn and impressive forms.

The National Whig Convention assembled in Baltimore on the 16th of June, exhibiting before the country a sectional division in its ranks upon a great, momentous, and practical question without precedent in party annals. The northern Whigs, who had never, upon any previous occasion, recognized the justice and obligatory force of the fugitive slave law, presenting the name of Winfield Scott for the Presidency; and the southern Whigs, who had determined that this occasion should not pass by without a distinct recognition of it, presenting the name of Millard Fillmore—the individual who had signed and approved the bill.

The recent secession of the southern Whigs from the Congressional caucus—the fullness of the representation from that section of the Union, embracing a delegation from States where there are scarcely the semblance of any Whig organization—all portended that a struggle was at hand, pregnant with the fate of the present and future destines of the party. The northern and southern wings held their respective conclaves in the spirit of beligerent factions. The southern members adopted a platform of principle, which they caused to be communicated to their northern allies, with the distinct declaration that unless adopted they would take no part in the proceedings of that Convention. It was soon ascertained that the full representation from the southern States, combined with the few Fillmore and Webster delegates from the North, would be sufficient, by a mere majority vote, to carry the resolution before the Convention.

A portion of the friends of General Scott, perceiving that the resolutions must pass, and satisfied that all opposition to them was vain, made a virtue of necessity, and concurred in their adoption. They were determined to carry their favorite candidate, and if an acquiescence in a resolution propounded against their known and uniform party sentiments, could accomplish that result, and which had no legal, and could have but little moral influence upon their constituents, they considered it purchased at a cheap sacrifice. It was obvious to any indifferent spectator of the scene that the Convention could have but one of two results—that the South must carry its compromise resolution, or the Convention would break up in a row; and that the North must have its candidate, or the same result would follow; and concessions were made only so far as it was necessary to harmonize in these results. How far the high contracting parties in this political arrangement were satisfied with their work, it is not for me to say, but that the original, inherent vice in the constitution of this discordant and ill-assorted body, will continue to develop itself until the close of the election, I have no manner of doubt; and we shall see every day the increasing evidences of a repudiation of the platform by the northern Whigs, and of a repudiation of the nominee by the southern Whigs.

What assurance can I derive from a calm survey of all the circumstances attending that Convention, that the fixed, well-settled Whig sentiment of the North, such as I have shown it in my remarks, has undergone any material change since the adoption of that resolution? What evidence have I, in the past, that the northern Whigs will, in the practical affairs of legislation, treat that policy with respect or deference? What, that the principle there announced, has been adopted with a sincere purpose to stand by and abide it? Do I not see prominent and distinguished northern Whigs around and about me, in this Hall, who say, that whilst they accept the nominee, they reject the platform? And what do we learn from the columns of one of the ablest, most influential, and widely-circulated organs of the Scott party in New York—I mean the Tribune. In speaking of the principles of the platform, he says:

"They were never *intended* to be a statement of the grounds whereon the Whig party is united and the ends which it unanimously meditates. On the contrary, *they were forced upon a portion of the delegates in full view of the fact that they did not express their convictions*—were driven through by the argument of menace and terror—were rammed down by the potent intimations, 'Swallow in silence or we bolt!' Yet, in the face of every entreaty and threat, *sixty-six* of the delegates, (*seventy* as we count,) voted No, when the yeas and nays were called on their passage. Here was *one fourth* of the Convention whom *not even the imperilling of the nomination of their beloved candidate*, and the prospect of breaking up the party, could deter from protesting against the gross wrong."

The three great States of New York, Pennsylvania, and Ohio alone, under all the circumstances here described, casts *forty-three votes* against the platform.

The platform adopted may be used as a pretext to satisfy some, but in my judgment the case presented is not materially variant from the failure to adopt any platform at all. The southern Whigs were already known to be perfectly sound upon the question involved, and the case is not changed as to them; and the northern Whigs were equally as well known to be unsound upon this subject, and I cannot perceive that any modification or revolution in their opinions has occurred since.

Neither do I perceive anything in the terms in which General Scott has accepted the nomination of that Convention, which places him in a more satisfactory relation to the compromise policy than he occupied prior to his nomination. His acceptance is unaccompanied with a single syllable of approval of that measure, and is without one solitary expression of opinion in favor of its wisdom or policy. Give the most favorable construction to his language which his friends claim for it, and the utmost that can be inferred from it is that so long as it exists upon the statute-book as a law, he will, if elected, have the law executed. This is no more than his official oath requires of him, no matter how much at heart opposed to it.

Can you, from anything that appears before the public, claim the benefit of his name and authority to recommend it as a wise and judicious policy to the favorable judgment of the people? Will a vote for General Scott imply an approval of that policy? Will he so wield his Executive influence if elected, and so dispense the patronage of the Government, as to give strength and power to the friends of that policy against its enemies? So far from it, that he distinctly announces that he will not (*a la mode* Fillmore) attempt, by proscription, to reduce his supporters to exact conformity of opinion upon this or any other question. Will he, if the enemies of the South and of the Constitution should accomplish a repeal of that law, interpose his veto, and save the country from the terrible consequence of such an act? We are told by those upon this floor who profess to know and speak his sentiments, that he would not, in such a case, interpose his veto; that such an exercise of the veto power would not be in accordance with Whig principles. In what conceivable form, then, I should be pleased to learn, can the election of Winfield Scott contribute to the peace of this Union, by giving stability and firmness to the compromise policy of 1850? Will any gentleman inform me?

Now, sir, I have desired to record my vote on this pending contest for some one whose election might be claimed as the *triumph of that policy;* for some one whose history, whose acts, whose opinions were so identified with that wise and conservative policy, that every vote cast for him would have been a declaration in favor of the policy itself. I would have been pleased to record my vote for that eminent man, whose name will forever appear on the rolls of legislation, appended to the law, as having constitutionally sanctioned and approved it, and who has sought honestly and faithfully to execute it. In the history of General Scott, I can find nothing to come up to this just expectation and wish. The records of my country, so far as I am advised, exhibit no connection of his with the success of this measure, or with its triumph before the great tribunal of public opinion. His public acts and declarations do not point to him as one of its champions and defenders. But his name has been unhappily brought before the country in association with those who are acknowledged to be amongst its ablest and most inexorable opponents.

Sir, in my judgment it was the imperative duty of the Whig party, in its recent Convention, disregarding all temporary ends of expediency, and looking solely to the permanent welfare of the country, to have nominated Millard Fillmore as its candidate; not, surely, as any personal compliment to him, but with the view to justify some claim upon the confidence of the country. In no other mode, upon the issues involved in that nomination, was it possible to give nationality to the Whig party. It is not often that the personal fortune of any single individual is thus bound up with national results. But events, for the past few years, had so concurred as to impress that character upon recent movements. In rejecting Mr. Fillmore, the Whig party virtually disavowed that policy of which he was the exponent and representative. In selecting General Scott it yielded to the embrace of those principles which had brought him in successful antagonism to his rival. The policy of Mr. Fillmore was national; it was conservative; it recognized the binding efficacy of constitutional guarantees; and it enforced them, because the Constitution required it, no matter how unacceptable to those amongst whom he had been born, and with whom he had lived. The policy which has forced General Scott upon the country is sectional; it sprung from an impatience of constitutional restraint. It had its origin in a wide-spread hostility in a particular section to the enforcement of a plain and undeniable guarantee of the Federal compact.

No Administration has more universally than the present, challenged the admiration of friends and foes upon every subject, except the compromise policy. There was, it seems, one fatal objection to his nomination, and that objection is alike fatal to the nationality of the Whig party. He had approved the fugitive slave law, and he had, in the discharge of his official duty, required it to be faithfully executed. For this he was sacrificed. Yes, tell it in Gath; publish it in the streets of Askelon, that Millard Fillmore was deemed unavailable by the Whig party, because he had approved, and caused to be executed, the fugitive slave law. For the submission of his judgment to the Constitution of his country, and for his rebellion to the "higher law," did those mighty men of the North—Seward, Johnson, and Vinton—array their disciplined battalions against him. In vain did the Whigs of the South struggle in his behalf; in vain did they, for days and nights, exhibit an unbroken front, and say to their northern allies: We present a man from your own section, whose only offense—if offense it be—is, that he has obeyed the Constitution, and accorded to us our rights. Their appeals were spurned. The decree had gone forth: Let him die. Let his fate be an example hereafter to all northern statesmen who dare to pander to a slave-catching policy. Can there be unity and nationality in a party where discord reigns upon such vital interests? Is this a question upon which southern Whigs can agree to disagree with their northern allies? Is it sufficient to tell me that the platform recognizes the binding efficacy of that law? I have already shown, from the manner of its adoption, how little

confidence can be placed in it as a rule of party action; and besides, mere paper resolutions, when they stand alone, are airy, unsubstantial nothingness. They are salt without its savor—bodies without souls. The nomination is the living, breathing, animating principle, that imparts life to the object, and assures us there is a reality in what we see.

The Whig party might have been nationalized; it might have been made powerful. Had the compromise resolution been adopted under circumstances to give satisfactory assurances of its sincerity; had the distinguished representative of the principles embodied in that resolution been triumphantly placed upon its pedestal; and had the northern Whigs rallied to his support at the polls in a manner to testify that they had the hearts to honor and support a man who had the firmness to maintain the constitutional rights of the South; then, indeed a confidence might have been inspired in their patriotism and fraternal sympathies that would in some measure have atoned for years of hostility and warfare upon our institutions. But the opportunity is past; the nationality of the Whig party is gone; sectionalism must forever predominate in its present organization. Scott may succeed. He may become President. But success or defeat will now be alike fatal to it. Its inevitable destiny is to have its northern wing hereafter absorbed in this great Abolition Free-Soil party of that section.

It is, then, manifest that, with my views of General Scott's position in the present canvass, he cannot receive my support. Shall I be neutral in this contest? No, sir; that is alike inconsistent with my sense of duty.

Franklin Pierce stands before this nation, in this contest, the representative of that conservative compromise policy which I was sent here to support, and upon whose inflexible maintenance depend the peace and the tranquillity of this Union. No man who looks to his past course, or to the influences to which he must be indebted for his election, can feel the slightest emotion of apprehension for its disturbance while he occupies the executive chair. I have already shown you that, with the first burst of sectional agitation and tumult at the North, in the fall of 1850, he repaired to the post of duty, and before a large assemblage of his countrymen threw the whole weight of his high character, of his unbounded personal popularity, of his great and acknowledged abilities, into the scale of the Union. His presence there upon such an occasion, and under such circumstances, was an evidence of his patriotism. His remarks manifest a just appreciation of the importance of that crisis, and of the necessity and justice of recognizing the constitutional rights of the South. Since that day, every act of which we have any record, every remark which in any authentic form has reached the public eye, every letter which bears his signature, breathes the same anxious and profound interest in the maintenance of that conservative policy. And in his letter of acceptance, which contains the last declaration of his views, he speaks with the frankness of a soldier, and with the fullness of a patriot—who estimates the vast influence which this question must exercise over the destinies of the Republic:

"I accept the nomination upon the platform adopted by the Convention, not because this is expected of me as a candidate, but *because the principles it embraces command the approbation of my judgment*, and with them I believe I can safely say, THERE HAS BEEN NO WORD OR ACT OF MY LIFE IN CONFLICT."

My first acquaintance with General Pierce dates back to August, 1833. Since that time I have been a close observer of his public career. Time does not enable me, now, to go into an examination of his course. But I do not fear contradiction when I assert, that the record of no northern statesman exhibits a more uniform and consistent respect for the constitutional rights of the South than his—nor can one be shown manifesting more true loyalty to all the objects and purposes for which this great Union was formed. It will give me pleasure, sir, to record my vote for him.

[From the National Intelligencer of July 6, 1852.]

WASHINGTON, *July* 3, 1852.

To prevent all mistakes and misapprehension, we, the undersigned, members of Congress, adopt this method of making a joint statement to our constituents, respectively, and to all who may take an interest in the subject, that we cannot and will not support General Scott for the Presidency, as he now stands before the American people, for the following, amongst other reasons:

He obstinately refused, up to the time of his nomination, to give any public opinion in favor of that series of measures of the last Congress known as the compromise; the permanent maintenance of which, with us, is a question of paramount importance. Nor has he since his nomination made any declaration of his *approval* of those measures as a final adjustment of the issues in controversy.

It is true the resolutions of the convention that nominated him are as clear and as explicit upon this question as need be; but General Scott, in his letter of acceptance, which contains all that we have from him on that matter, does not give them the approval of his judgment. This he seems studiously to have avoided. He accepts the nomination, "with the resolutions annexed." That is, he takes the nomination *cum onere*, as an individual takes an estate, with whatever *incumbrances* it may be *loaded* with. And the only pledge and guarantee he offers for his "adherence to the principles of the resolutions," are "the known incidents of a long public life," &c.

Amongst these "*known incidents*" of his life there is *not one*, so far as we are aware of, in favor of the principles of the compromise. In one, at least, of his public letters, he has expressed sentiments inimical to the institutions of fifteen States of the Union. Since the passage of the compromise he has suffered his name to be held up before the people of several of the States as a candidate for the Presidency by the open and avowed enemies of those measures. And in the convention that conferred this nomination upon him he permitted himself to be used by the *Free-Soilers* in that body to defeat Mr. Fillmore and Mr. Webster, because of their advocacy of these measures and their firm adherence to the policy that sustained them.

To join such men, and aid them in completing

their triumph over and *sacrifice* of the true and *tried* friends of the Constitution, and the faithful discharge of all its obligations, is what we can never do. The dictates of duty and patriotism sternly forbid it.

We consider General Scott as the *favorite* candidate of the *Free-Soil* wing of the Whig party. That his policy, if he should be elected, would be warped and shaped to conform to their views, and to elevate them to power in the administration of the Government, can but be considered as a legitimate and probable result. And believing, as we do, that the views of that faction of mischievous men are dangerous not only to the just and constitutional rights of the southern States, (which we represent in part,) but to the peace and quiet of the whole country, and to the permanent union of the States, we regard it as the highest duty of the well-wishers of the country everywhere, whatever else they may do, to at least withhold from *him* their support. This we intend to do.

ALEXANDER H. STEPHENS, of Ga.,
CHARLES JAS. FAULKNER, of Va.,
W. BROOKE, of Miss.,
ALEX. WHITE, of Ala.,
JAMES ABERCROMBIE, of Ala.,
R. TOOMBS, of Ga.,
JAMES JOHNSON, of Ga.

For reasons to some extent indicated in speeches and addresses heretofore made by the undersigned, they deem it to be their duty to withhold their support from General Scott as a candidate for the Presidency. If it should seem to be necessary, we will hereafter, in some form, exhibit more fully to our constituents the facts and reasons which have brought us to this determination.

M. P. GENTRY, Tenn.
C. H. WILLIAMS, Tenn.

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